

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MRS. JUSTICE K.HEMA

THURSDAY, THE 21ST DECEMBER 2006 / 30TH AGRAHAYANA 1928

Crl.Rev.Pet.No. 3745 of 2006(C)

CRA.728/2005 of SESSIONS COURT (ADHOC), KOTTAYAM
CC.690/2003 of JUDL.MAGISTRATE OF FIRST CLASS, ETTUMANUR
.....

REVN. PETITIONER: APPELLANT/PETITIONER/ACCUSED

V.A.PHILIP,
VALLIPARAMBIL, ARPOOKKARA EAST P.O.,
KOTTAYAM.

BY ADV. SRI.T.K.SHAJAHAN

RESPONDENTS: COMPLAINANT AND STATE

1. CYRIAC MANI K.,
S/O.K.J.MANI, KUNNATHARA HOUSE,
THELLAKOM P.O., KOTTAYAM.
2. STATE OF KERALA,
REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR SRI.C.K.SURESH
SRI.D.CHANDRASENAN

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD
ON 21/12/2006, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

K. HEMA, J.

Crl.R.P. No.3745 of 2006

Dated this 21st day of December, 2006.

O R D E R

Revision Petitioner is the accused in C.C.No.690 of 2003 on the file of the Judicial First Class Magistrate's Court, Ettumanoor. First respondent is the complainant therein. Revision petitioner was convicted and sentenced by the Magistrate's Court to undergo imprisonment till the rising of the court and also directed to pay compensation of Rs.15,000/- to the complainant in default of payment to undergo simple imprisonment for one month under section 138 of the Negotiable Instruments Act. In appeal filed by him, the conviction and sentence were confirmed by the Sessions Court. This revision arises from the said conviction and sentence.

2. At the time of hearing, both sides submitted that a petition as Crl.M.Appl.No.13350 of 2006 is filed for compounding the offence. It is also submitted by both sides that the matter is settled out of court amicably between the parties. On hearing both sides and on going through the averments in the petition, I am satisfied that this is a fit case to grant permission to compound the offence.

In the result, Revision Petitioner is acquitted of offence under section 138 of the Negotiable Instruments Act, as offence is compounded. He is set at liberty forthwith.

Crl. M.Appl.No.13350 of 2006 and Revision Petition are allowed.

vgs.

K. HEMA, JUDGE.